

2011 Trafficking in Persons Report

CYPRUS (Tier 2 Watch List)

Cyprus is a destination country for men and women who are subjected to forced labor and forced prostitution. NGOs report that trafficking victims in Cyprus originate from Russia, Moldova, Ukraine, Hungary, Bulgaria, Romania, Belarus, the Philippines, Morocco, China, Vietnam, Uzbekistan, Greece, the United Kingdom, Colombia and the Dominican Republic. During the reporting period, the government identified victims from Vietnam, China, the Philippines, Egypt, Romania, Bulgaria, India, Nepal, Cameroon, Ukraine, and Estonia. Sex trafficking occurs within commercial sex industry outlets in Cyprus, including cabarets, bars, pubs, and massage parlors disguised as private apartments. Groups vulnerable to forced labor include domestic workers from Vietnam, as well as asylum seekers, foreign migrants, and EU citizens from Romania and Bulgaria working in the construction and agricultural sectors. NGOs continue to report that Roma children, as well as children of migrants and asylum seekers, remain especially vulnerable to prostitution and other forms of trafficking. Local authorities and NGOs noted an increase in street prostitution in the country involving women from Romania, China, Vietnam and the Philippines in 2010; these women are vulnerable to trafficking given the debts incurred by migrating to Cyprus.

The Government of Cyprus does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Some observers allege that trafficking-related complicity significantly hampered the government's anti-trafficking efforts though the government took some initial steps to address it. The government also initiated implementation of its April 2010 National Action Plan (NAP) during the reporting period. Despite these efforts, however, the government failed to demonstrate evidence of increasing efforts to address human trafficking over the previous reporting period; therefore, Cyprus is placed on Tier 2 Watch List. The government failed to vigorously prosecute or convict trafficking offenders; very few prosecutions resulted in traffickers being held accountable in 2010. Further, the government did not convict or sentence any officials complicit in trafficking in Cyprus, which observers allege continued to be a significant problem. Although the government dedicated significant resources to its NAP, implementation of the plan was slow. The government made few improvements in the protection of victims; it did not ensure procedures for the safe repatriation of foreign victims. The *artiste* visa that was of grave concern in previous reporting periods was replaced with other visa or work permit categories which traffickers have managed to exploit to import foreign women into the commercial sex industry, a major locus of human trafficking. The government has

yet to implement a nationwide campaign to specifically address demand within the context of Cyprus, in order to educate clients about the realities of forced prostitution inherent to the island's sex industry.

Recommendations for Cyprus: Undertake greater measures to prosecute, convict, and sentence trafficking offenders; impose punishments of imprisonment that are commensurate with punishments imposed on other serious criminal offenders; aggressively prosecute and seek convictions of any officials complicit in trafficking; implement a guide for all front-line responders – not only for police – outlining identification, referral, and protection procedures for potential trafficking victims; improve partnerships with NGOs in protecting and assisting victims; ensure that victims are offered legal alternatives to their removal to countries where they may face possible retribution and hardship; proactively implement the National Action Plan on trafficking; and launch a demand reduction campaign specifically aimed at Cypriot clients of prostitution to educate them about the link between prostitution and trafficking.

Prosecution

The Government of Cyprus maintained its efforts in the prosecution of suspected traffickers, but convictions and punishment of trafficking offenders in 2010 were inadequate. Cyprus prohibits both sex and labor trafficking through its Law 87 (I) of 2007, which also contains protection measures for victims. Although penalties of up to 20 years' imprisonment are prescribed for sex trafficking, these penalties are not commensurate with those prescribed for other serious crimes, such as rape, for which the maximum sentence is life in prison. During the reporting period, the government investigated 29 suspected cases of trafficking, an increase from 17 suspected trafficking cases in 2009. Although there were 41 ongoing trafficking prosecutions at the end of 2009, the government secured convictions in only three cases, convicting three trafficking offenders in 2010 and one in 2011. Punishments for these offenders were woefully inadequate: one offender was sentenced to six months' imprisonment with the suspension of an additional three years' imprisonment, one was convicted to 12 months in prison, and the two others each received a nine-month sentence. These few convictions represent a significant decline from the previous reporting period, when the government convicted 10 traffickers. Furthermore, the government did not demonstrate adequate follow-up on a large forced labor case from November 2009, when police arrested and charged three suspects for subjecting 95 Romanians to forced labor, mostly in the construction sector; the ringleader reportedly used debt bondage and hired enforcers to control the victims who were forced to live in converted shipping containers in an isolated industrial area near Nicosia. The government has yet to

begin prosecution in this case; all suspects continue to be free on bail. Despite a significant anti-trafficking budget, the government failed to fulfill its pledges to devote additional resources to its five-member specialized anti-trafficking unit.

The government took some initial steps to address alleged trafficking complicity of public officials during the reporting period. In March 2011, police arrested the assistant chief of the Aliens and Immigration Unit for his suspected involvement in trafficking. This unit has direct responsibility for the oversight and inspection of all bars, cabarets, and other commercial sex establishments in Cyprus. NGOs had repeatedly reported concerns about this officer and asked for his transfer. This official, however, was released on bail a short time after his arrest. An NGO issued a statement expressing satisfaction with the arrest, citing the “inter-connections, corruption and participation of members of the police in trafficking” and urging the government to “extend their inquiries so as to include an administrative and penal investigation particularly of the Civil Registry and Migration Department in order to reveal the breadth and scope of the involvement of officers of the Department in the said crime.” Also during the reporting period, the government reported it prosecuted a member of the police force for involvement in trafficking-related corruption. However the government has yet to produce a conviction or criminal punishment of an official complicit in trafficking.

Protection

The Government of Cyprus made inadequate efforts to improve the protection for trafficking victims during the reporting period. Over the year, the government identified 17 victims of forced labor, 24 sex trafficking victims, and two victims subjected to both labor and commercial sexual exploitation. Twenty-four victims of sex trafficking were identified during the reporting period, in comparison with 21 such victims identified in 2009 and 41 in 2008. While the government produced a manual to guide its police in identifying victims, it has yet to fully implement its commitment to institute proactive victim identification procedures for use by all front-line responders in the country. The government should forge more effective partnerships with NGOs to improve protection of trafficking victims in Cyprus. A recent statement signed by several anti-trafficking NGOs calling for increased cooperation with the government cited the problem of “unsatisfactory victims shelter” among other improvements sought. The government continued to fund its shelter, allocating \$278,000 for its operation in 2010. Victims were allowed to leave the shelter unchaperoned and at will, provided they first met with the police and social services officers to be informed of potential risks. The government cared for a total of 26 trafficking victims in the shelter in 2010, compared with 47 sheltered in 2009. The government provided rent subsidy and a monthly allowance

to other victims who chose to stay in private apartments or hotels. According to NGOs, the majority of trafficking victims in Cyprus received only basic support measures, as most are not fully informed about services accessible to them.

The government continued to fail to employ procedures for the safe repatriation and return of trafficking victims in 2010, according to a local expert. Cypriot authorities did not conduct a risk assessment before victims were repatriated and there were no formal procedures or protocols in place to ensure victims' safe return. The government encouraged victims to participate in investigations of trafficking cases and reported that the majority of identified trafficking victims cooperated with law enforcement in 2010. However, cabaret owners and agents reportedly used attorneys to bribe potential witnesses and pressured women to withdraw complaints or cease cooperation with law enforcement officials.

During the reporting period, NGOs alleged that the Aliens and Immigration Unit, acting under an order by the attorney general, attempted to remove and deport an Indian national after she was identified as a trafficking victim. The government denied these allegations. This victim reportedly had been subjected to gang rape, forced prostitution, and forced labor and subsequently became pregnant in 2010.

Prevention

The government demonstrated modest efforts to prevent trafficking in Cyprus in 2010. NGOs continued to report that the government's revised policy on the former *artiste* permit had little actual impact on reducing sex trafficking in Cyprus. Local experts assert that the high demand for commercial sex acts on the island continues to create a market for traffickers and that the majority of clients of the sex industry are Greek Cypriot men. The government has yet to implement any campaigns to raise awareness among these clients about how forced prostitution is a serious crime and human rights abuse. The government-approved 2010-2012 National Action Plan called for a demand-focused public awareness campaign. The government did implement other awareness raising activities, however. During the reporting period, the government and a multidisciplinary coordinating group (MCG) oversaw the publication and distribution by the police of 5,000 comic books containing stories about trafficking victims. In cooperation with the Ministry of Education, it provided anti-trafficking awareness training to teachers, featuring presentations by an NGO and a local media group involved in awareness-raising. It also began work with one NGO on an awareness program in schools. In collaboration with an NGO, the government printed and began issuing 40,000 information cards to potential trafficking victims arriving at the airport in the fall of 2010; immigration officials ceased distributing the cards during the year, but

began re-issuing them again in February 2011. An NGO was permitted to present an awareness program to some 300 soldiers. The MCG printed and began to distribute 55,000 brochures in a variety of languages addressed to potential victims. These public awareness efforts have not yet resulted in any measurable law enforcement or victim protection outcomes.

The government reported it screened applications for foreign “performing artists,” the work permit category that replaced the previous *artiste* visa, and reported issuances of such “performing artists” permits dropped to 460, compared with 1225 in 2009. It reported it issued 323 “barmaid” and “barman” work permits in 2010, compared with 467 in the previous year. According to a local NGO, however, traffickers continued to utilize these and other work permits to recruit victims into the commercial sex industry in Cyprus. Further, experts report that the abolishment of the *artiste* visa made little actual impact in Cyprus, instead shifting the problem elsewhere to bars and massage parlors.

Area Administered by Turkish Cypriots

The northern area of Cyprus is administered by Turkish Cypriots; the area has declared itself the “Turkish Republic of Northern Cyprus” (“TRNC”). The United States does not recognize the “TRNC,” nor does any other country except Turkey. The area administered by Turkish Cypriots is a destination for women originating from Eastern European countries and subjected to conditions of forced prostitution. Men and women are also reportedly subjected to conditions of forced labor. According to local authorities, women working in nightclubs and pubs who received “hostess” or “barmaid” work permits in 2010 came overwhelmingly from Moldova, followed by Ukraine.

Turkish Cypriot authorities continue to deny that trafficking is a significant problem in the area, posing a serious challenge to assuring any protection for women from trafficking or the prosecution of their traffickers. Local observers continue to report a significant trafficking problem with foreign women being deprived of their freedom in nightclubs. Despite this, Turkish Cypriot authorities identified no trafficking victims during the reporting period.

Although the area administered by Turkish Cypriots drafted an anti-trafficking “bill” in 2007, it has yet to make any progress on this “legislation.” Turkish Cypriot authorities provided no specialized training on trafficking and continued to confuse trafficking with prostitution and smuggling. Trafficking crimes can potentially be prosecuted on charges of “living off the earnings of prostitution” or “encouraging prostitution.” Persons convicted under these “laws” can receive up to

two years' imprisonment. These penalties are not commensurate with those prescribed for other serious crimes in the area administered by Turkish Cypriots, such as rape. NGOs report that organized crime elements are behind the ownership and management of some of the nightclubs in the north. Further, local observers report that local "police" are complicit with traffickers and are directly involved in the trafficking. Authorities hold the travel documents of foreign women working in nightclubs in the "TRNC."

Authorities do not have specialized procedures in place to identify trafficking victims among vulnerable groups or refer victims to service providers, nor do they allocate any funding to anti-trafficking efforts or provide any specialized care or shelter for victims. Deportation is the most common form of "rescue" the authorities use for women who complain about their employment at nightclubs and ask for help from the local police. Although prostitution is illegal in the "TRNC," nightclub employees are required to submit to weekly health checks for sexually-transmitted infection screening, suggesting tacit approval by the authorities of the prostitution industry. If arrested on prostitution charges, a victim is usually deported within 24 hours. Likely trafficking victims arrested for engaging in prostitution were also sometimes detained before their deportation. The "TRNC" issued 977 "hostess" work permits and 16 "barmaid" work permits in 2010. Authorities in 2009 reported issuing 961 "hostess" work permits, including renewals, and 14 "barmaid" permits during the previous reporting period. Turkish Cypriot authorities did not conduct any anti-trafficking awareness campaigns during the reporting period.

The "TRNC" does not fully comply with the minimum standards for the elimination of trafficking, and does not appear to be making significant efforts to do so. If the "TRNC" were assigned a formal ranking in this report, it would likely be Tier 3.

Recommendations for Turkish Cypriot authorities: Pass "legislation" specifically prohibiting all forms of human trafficking; provide training for police and other front-line responders on victim identification techniques; establish specialized protection and assistance services and a shelter; and educate clients and the larger public about trafficking that generally takes place within nightclubs.